

REMARKS/ARGUMENTS

Applicant has reviewed and considered the Final Office Action dated July 29, 2004. In response thereto, Claims 1, 19 and 48 are amended. Claims 1-24 and 27-65 are pending in the present application.

Rejection under 35 U.S.C. § 112

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph. Claim 1 is now amended to clarify the invention.

Rejection under 35 U.S.C. § 103

Claims 1-24 and 27-65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jones et al. in view of admitted prior art. Applicant respectfully traverses the rejection for at least the reasons below.

Claim 1 is amended to recite a method for managing an emergency assistance system including interaction between an operator, a desired vendor and a customer, comprising: receiving incident information from the operator and storing the incident information in an incident tracking file; searching for and selecting the desired vendor using the incident information which provides specific customer-related information having customer preference including cost limit; receiving first invoice information from the vendor; and verifying the first invoice information and generating a bill for the customer.

Jones describes an integrated emergency medical transportation database system having a dispatch module, clinical module, administration module and billing module. More specifically, Jones describes that each module communicates data with one or more of the other modules to form a system incorporating data sharing, thus achieving an end-to-end automation of emergency medical care accounting. However, Jones fails to disclose or teach a system or a method of managing an emergency assistance system that searches for and selects a desired vendor based on incident information which provides specific customer-related information having customer preference including cost limit. Jones merely describes that a dispatch module on a server computer can be accessed via an interface to a dispatch computer that receives an initial call to

deploy an emergency medical team, and that the dispatch computer can provide just a communications interface to the server computer so that it acts as computer terminal, or it can contain a portion of the dispatch module (Column 4, lines 47-54). On the other hand, the recited invention allows a search and selection for a desired vendor, based on the incident information which provides specific customer-related information having customer preference including cost limit. Support can be found at least on page 9, lines 5-14. One of the advantages of the present invention is that the system and/or method allows to provide specific customer-related information, which may relate to cost limit, desired vendors, and any other relevant customer preferences or requirements (see page 9, lines 7-8).

Further, Jones not only does not disclose or teach searching for and selecting a desired vendor, but also teaches away from the recited invention by teaching that upon flight dispatch, the dispatcher will receive the name of the current base physician, crew and helicopter information for verification (Column 6, lines 25-27). Thus, the search and selection is not based on the incident information which provides specific customer-related information having customer preference including cost limit.

The Official Notice is not related to the deficiencies of Jones. Therefore, Applicant respectfully submits that claim 1 patentably distinguishes over Jones, and that claims 19 and 48 and the remaining dependent claims are patentable for at least the same reasons discussed above.

This application now stands in allowable form and reconsideration and allowance are respectfully requested. If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at 612-752-7367.

Respectfully submitted,

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